REMARKS

Rejections under 35 U.S.C. § 103(a)

Claims 1-11, 13-17, 19-21, and 23-35 stand rejected over the previously cited *Lalonde* reference in view of U.S. patent number 7,206,814 to Kirsch (*Kirsch*) and U.S. patent application publication number 2008/0040439 to Wang (*Wang*). Dependent claims 2, 6, 11, 16, 19-21, and 23-27 are rejected over *Lalonde, Kirsch, and Wang* in view of previously cited *Murray*. Dependent claim 29 is rejected over *Lalonde, Kirsch, and Wang* in view of U.S. patent application publication number 2005/0076240 to Appleman (*Appleman*). The Applicants respectfully traverse these rejections.

Lalonde discloses a method for authenticating an electronic message. The header of the message may be parsed for the domain name and the IP address. See *Lalonde*, Abstract. Either the domain name or the IP address may be communicated to a database, such as a DNS or WHOIS database, in order to obtain IP addresses or domain names, respectively. The retrieved domain names or IP addresses may be compared to those extracted from the message in order to determine **whether the message was sent by the sender**. See *Lalonde*, col. 5 l. 45-col. 6 l. 30.

Kirsch discloses a method for processing electronic messages which may make use of a signature generated from a domain name of the sender with the final IP address. See *Kirsch*, col. 8 l. 22-24. *Kirsch* uses similar techniques as those disclosed in *Lalonde* in order to generate this signature. Specifically, *Kirsch* states that "[a] final domain name is determined by performing a reverse DNS lookup of the final IP address." *Kirsch*, col. 7 l. 54-55. The final IP address "may be determined by examining the message header of an e-mail message." *Kirsch*, col. 7, l. 5-6. The signature disclosed in *Kirsch* "is used to **identify the actual sender** of the message." *Kirsch*, Abstract. (emphasis added). *Kirsch* further states that "[o]nce the **actual sender** is determined, the e-mail message is

categorized based on information about the **actual sender**." *Kirsch*, col. 8, l. 31-33 (emphasis added).

Wang teaches a mail transfer agent which is adapted to determine the disposition of incoming e-mail via a filter module. *Wang* discloses the use of reverse DNS verification to determine the identity of an originator of a particular e-mail message. See *Wang*, [0018].

The disclosures of *Lalonde*, *Kirsch*, and *Wang* fall short of independent claim 1, which recites in part:

> 1. A method of classifying a message transmitted over a network, comprising:
>
> . . .
>
> executing instructions stored in a computer readable storage medium to classify the message **according to** the IP address and domain pair based on one or more classification variables associated with the IP address and domain pair . . .

(emphasis added)

Lalonde, *Kirsch*, and *Wang* make the assumption that identifying the sender is sufficient to classify the message accurately. The Applicant points to the Specification of the present application (*Specification*), which presents a counterexample to this assumption:

> [A]ssume that "bigcompanydomain.com" belongs to a big company that frequently sends good messages. However, "bigcompanydomain.com" is also often forged by spammers. Over time, certain cells in the row will gain a good reputation. These cells correspond to legitimate IP addresses associated with "bigcompanydomain.com". If a message arrives that falls into another cell in that row, that message may be classified as spam even if the user has that domain white listed, because of the strong evidence that that IP address is not a legitimate one. *Specification*, p. 16 l. 3-9

Independent claim 1 has been amended to further clarify that, in the claimed embodiment, the IP address and domain pair is associated with one or more classification variables. *Kirsch*, which uses the aforementioned signature solely to **identify the actual sender**, does not disclose "one or more classification variables associated with the IP address and domain pair," as recited in claim 1. Since *Lalonde* does not disclose "[creating] an IP address and domain pair," and *Wang* does not disclose the same, *Lalonde* and *Wang* do not cure the deficiencies of *Kirsch* in this regard. See *Office Action*, 3.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See *In re Royka*, 490 F.2d 981 (CCPA 1974). The Applicants submit that none of the references, either individually or in combination, teach or suggest all the limitations of the independent claim 1, including (at the least) 'classifying the message according to the IP address and domain pair based on one or more classification variables associated with the IP address and domain pair.' The rejection of independent claim 1 under 35 U.S.C. 103(a) is therefore overcome, and claim 1 is allowable over the cited references. Independent claim 35, drawn to a computer-readable storage medium, recites similar elements to claim 1 and is allowable for at least the same reasons as independent claim 1. Claims 2-11, 13-17, 19-21, and 23-34 are likewise allowable per 35 U.S.C. § 112 ¶ 4 for dependence on an allowable independent claim, despite the Examiner's contentions with respect to *Murray* and *Appleman*.

CONCLUSION

The Applicants have amended independent claims 1 and 35 to further clarify that the IP address and domain pair is associated with one or more classification variables. *Lalonde* and *Wang* do not disclose IP address and domain pairs.

Kirsch discloses the use of a signature generated from a domain name of the sender with the final IP address. The signature disclosed in *Kirsch* is solely used to **identify** the actual sender of the message, and is abandoned once the sender is identified.

Since the rejections under 35 U.S.C. § 103(a) are overcome, the Applicants respectfully request the issue of a notice of allowance. The Examiner is invited to contact the Applicants' undersigned representative with any questions regarding the present response.

Respectfully submitted,
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